



# NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

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July 12, 2021

Administrator Michael Regan  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

**Subject:** The National Environmental Justice Advisory Council's Recommendations and Calls to Action

Dear Administrator Regan:

The National Environmental Justice Advisory Council (NEJAC) has provided service and insight to the EPA Administrator since NEJAC's establishment in 1993. NEJAC's mission is to provide independent advice to the EPA Administrator on broad, cross-cutting issues related to environmental justice, and impart a holistic awareness of the impacts that environmental regulations have on the residents of the United States, particularly among the nation's most vulnerable populations. By its charter, the NEJAC represents community organizations, non-governmental organizations, academia, indigenous peoples and tribal governments, state and local governments, and business and industry. Through providing the EPA administrators with advice and recommendations on issues of environmental justice, the NEJAC offers voices from frontline communities experiencing environmental injustice, ranging from the Black Belt of Alabama to the native villages of Alaska, and from the hills of Appalachia to the deserts of the Southwest.

As a multi-stakeholder advisory Council, the NEJAC's five (5) primary objectives are to:

1. Integrate environmental justice considerations into Agency programs, policies, and activities.
2. Improve the environment and public health in communities disproportionately burdened by environmental harms and risks.
3. Address environmental justice by ensuring meaningful involvement<sup>1</sup> in EPA decision-making, building capacity in disproportionately burdened communities, and promoting collaborative problem-solving for issues involving environmental justice.

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<sup>1</sup> Meaningful Involvement: People have an opportunity to participate in decisions about activities that may affect their environment and/or health; The public's contribution can influence the regulatory agency's decision; Community concerns will be considered in the decision-making process; Decision makers will seek out and facilitate the involvement of those potentially affected.

4. Strengthen its partnerships with other governmental agencies, such as other Federal agencies and State, Tribal, or local governments, regarding environmental justice issues.
5. Enhance research and assessment approaches related to environmental justice.

We take seriously these responsibilities and accept our federal advisory role in the EPA with integrity and pride. Your firm commitment to environmental justice priorities offers a much needed and appreciated return to addressing disproportionate and cumulative health impacts in affected communities. The NEJAC is greatly encouraged by the commitments you are making to embrace its objectives as front and center in EPA's agenda, i.e., "a central driving factor" in all that EPA does, and we are prepared to help your Administration make that commitment a reality.

We submit this letter shortly after the milestone of your first one-hundred (100) days as the EPA Administrator, and seek your response to several matters of importance, as indicated in three (3) sections of this letter: (I) Unanswered or inadequate responses from the previous Administration to the NEJAC's letters and reports from 2017-2020; (II) Communication and coordination improvements between the NEJAC and EPA leadership; and (III) A recommendation and request regarding collaboration between the NEJAC and the White House Environmental Justice Advisory Council (WHEJAC). Across them you will find specific concerns, updates, and recommendations from the Council as you set forth your Administration's priorities and practices.

We want to assure the EPA that the Council is resolute in making sure that the cumulative health impacts, safety, and welfare of our people, especially communities of color, are addressed by your Administration. In addition, we want to make certain the EPA is focused on conserving and improving the environment through focused research, proper monitoring, and responsible regulation. The NEJAC conveys these matters to you with meaningful purpose and, in kind, expects a meaningful response from your Administration.

Finally, as previously mentioned, the NEJAC work groups are currently researching and consulting on several priority issues that impact environmental justice communities and reflect and incorporate input from dozens of public comments. These priorities reflect nearly three (3) years of extensive public engagement and discussions. We expect to provide updated reports and recommendations from the following six (6) work groups at the NEJAC's August 18-19, 2021, public meeting:

1. Farmworker Concerns and Pesticides
2. PFAS/PFOA Issues
3. Water Infrastructure Charge Update (to include water equity and quantity)
4. NEPA Roll Backs
5. Community Air Quality

The NEJAC truly appreciates your openness and responsiveness to the issues and concerns we raise, and we look forward to meaningful engagement with your Administration. Please know that we are actively engaged in improving stakeholder education on environmental justice across public and private sectors in support of your objectives. Alongside our colleagues in the Office of Environmental Justice and in the WHEJAC, we are honored to provide leadership and service to the EPA to address environmental priorities and the needs of impacted residents throughout our national, tribal, and territorial communities.

### **THE NEJAC'S REQUESTS TO THE ADMINISTRATOR**

As the EPA moves forward with a host of important and timely measures to enact the current Administration's initiatives and priorities, the NEJAC believes it is important to bring your attention to some outstanding matters of concern. First and foremost are eleven (11) public letters and three (3) reports that the Council submitted to previous EPA Administrators from 2017 to 2020, plus one (1) report submitted in May 2021. They underscore important environmental justice concerns about EPA and federal changes to environmental protections, including: Toxicants and chemical policy rollbacks; Safe Drinking Water Act (SDWA) and Clean Water Act (CWA) violations; failed worker protections; inadequate youth engagement; deficient data mapping; the NEJAC's 2019 Water Infrastructure Report in response to the Office of Water's 2016 charge to the NEJAC; and the 2018 Report: Youth Perspectives on Climate Change. A summary of the communication is listed below in **Section I**, which the NEJAC is requesting that the EPA Administrator review and provide a response. **Section II** provides a set of NEJAC's requests to the EPA Administrator to improve the communication, coordination, and collaboration between the work of the Council and across the offices of the EPA. The letter concludes with a request in **Section III** to the Administrator for approval to collaborate with the WHEJAC on environmental justice initiatives.

Finally, we understand there are initiatives underway throughout the current EPA Administration that respond to the issues communicated in these three sections. The Council is eager to learn about them as we continue to engage across the Agency and look forward to your timely written responses.

#### **Section I: Unanswered or inadequate responses from the previous Administration to the NEJAC's letters and reports from 2017-2020**

Coordinated with NEJAC's ongoing work on priority issues, NEJAC's body of recent work includes eleven (11) NEJAC recommendation letters and four (4) reports submitted to the EPA Administration dated from July 2017 to May 2021. In most

cases, NEJAC received inadequate responses, or no response to these charges and letters. We request your review of these prior submittals from NEJAC, and provide NEJAC status updates, Agency positions, and Agency actions you will take in response to these issue letters and the recommendations those letters contain. Brief summaries of the recommendation letters are included below, along with links to each letter or report.

1. July 31, 2017 - Letter to Administrator Scott Pruitt re: Flint, Michigan Drinking Water Contamination.
2. July 31, 2017 - Letter to Administrator Scott Pruitt re: Title VI of the Civil Rights Act of 1964.
3. July 31, 2017 - Letter to Administrator Scott Pruitt re: Address Toxic Exposures Found at Discount Retail Stores.
4. July 31, 2017 - Letter to Administrator Scott Pruitt re: Worker Protection Standard Regulation to Protect Farmworkers and Their Families from Toxic Pesticides.
5. September 29, 2017 - Report to Administrator Scott Pruitt re: Recommendations and Guidance for EPA to Develop Monitoring Programs in Communities
6. July 31, 2018 - Report to Acting Administrator Andrew Wheeler re: Best Practices for Youth Engagement and Addressing Health Impacts of Climate Change.
7. December 18, 2018 - Letter to Acting Administrator Andrew Wheeler re: Halting Efforts to Rescind Portions of the Agricultural Worker Protection Standard and the Certification of Pesticide Applicators Rule.
8. March 1, 2019 - Report to Administrator Andrew Wheeler re: EPA's Role in Addressing the Urgent Water Infrastructure Needs of Environmental Justice Communities.
9. May 3, 2019 - Letter to Administrator Andrew Wheeler re: Recommendation to Preserve the Chemical Disaster Safety Rule.
10. May 3, 2019 - Letter to Administrator Andrew Wheeler re: Recommendation to Regulate Ethylene Oxide to Protect Public Health and to use the Findings and Conclusions of the EPA Integrated Risk

Information System Chemical Assessments in Regulatory Determinations.

11. August 14, 2019 - Letter to Administrator Andrew Wheeler re: Recommendations to Strengthen the PFAS Action Plan.
12. August 14, 2019 - Letter to Administrator Andrew Wheeler re: National Environmental Policy Act (NEPA) and Environmental Justice.
13. August 14, 2019 - Letter to Administrator Andrew Wheeler re: Data Limitations on EPA Mapping Tools.
14. August 14, 2019 - Letter to Administrator Andrew Wheeler re: Recommendations for Promoting Environmental Regulation on Aboveground Storage Tanks.
15. May 6, 2021 - Report to Administrator Michael Regan re: Superfund Remediation and Redevelopment for Environmental Justice Communities.

**Summary of the NEJAC Recommendation Letters to the EPA Administrator dated July 2017 to May 2021 (as noted above):**

**1. July 31, 2017 - Letter to Administrator Scott Pruitt re: Flint, Michigan Drinking Water Contamination**

- October 12, 2016: At its public meeting, a resident and grassroots organization leader of Flint presents a summary of the city's devastating lead water crisis and recommendations to the NEJAC for the EPA.
- July 31, 2017: The NEJAC submits a letter of its concerns regarding the Flint, Michigan water crisis with recommendations toward solutions. Additionally, the Council requests an interagency group to undertake key initiatives to ensure overburdened and underserved populations are free from adverse effects of contaminated or inaccessible water.
- August 21, 2020: The NEJAC Chair and Council receive a letter from NEJAC member, Dr. Benjamin Pauli, on behalf of the Environmental Transformation Movement of Flint (ETMF) responding to the NEJAC's 2017 Flint water crisis letter to the Administrator.

- *Updated requests:*
  - Respond to the 2017 letter’s list of recommendations and concerns.
  - Review the 2020 ETMF letter for updates and assessments regarding the NEJAC’s 2017 letter to the Administrator.
  - Consider what may be the wrong lessons about the Flint water crisis, i.e., where the EPA may be complicit in federal and state limited foci on infrastructure and testing, and less so on cumulative health impacts and other related contaminants and conditions.

2. July 31, 2017 - Letter to Administrator Scott Pruitt re: Title VI of the Civil Rights Act of 1964

In September 2016, the U.S. Commission on Civil Rights (USCCR) released its report: Environmental Justice – Examining the Environmental Protection Agency’s Compliance and Enforcement of Title VI and Executive Order 12898. Among the most alarming conclusions is that while many EJ communities have filed Title VI complaints with the EPA over many years, only two affirmative findings were made in 46 years. With this report and the communities that the Council represent in mind, the NEJAC believes the EPA must invest in a series of recommendations to address Title VI compliance concerns, including case backlogs, deadlines, and complainant involvement in settlements discussions.

3. July 31, 2017 - Letter to Administrator Scott Pruitt re: Address Toxic Exposures Found At Discount Retail Stores

Discount retail stores (commonly called “dollar stores”) are often the only source of affordable household products and food in many communities already impacted by environmental justice issues. NEJAC recommended that federal agencies take specific steps to help vulnerable environmental justice communities reduce toxic exposures from products sold in discount stores which disproportionately impact households that experience economic restrictions and limited market choices. Recommendations to reduce toxic exposure included the Safer Choice Program, and inclusion of the FDA, USDA, and DOJ in the examination of chemical food packaging, food insecurity, and civil rights enforcements.

4. July 31, 2017 - Letter to Administrator Scott Pruitt re: Worker Protection Standard Regulation to Protect Farmworkers and Their Families from Toxic Pesticides

The NEJAC found that there is an urgent need for information, training, and representation regarding pesticide hazards, protective measures, workers’ rights, and employer responsibilities under the new Worker Protection Standard (WPS) rule.

Among the most important provisions in the revised WPS is the requirement for annual training of farmworkers on a broader range of pesticide hazard protection, including their rights to file pesticide safety complaints. The letter contained detailed recommendations on:

- The development of WPS educational materials and programs,
- Designated representative provision and other worker rights, and enforcement of WPS provisions and protections; and
- Recommendations regarding Exclusion Zones.

5. September 29, 2017 – Report to Administrator Scott Pruitt re: Recommendations and Guidance for EPA to Develop Monitoring Programs in Communities

This report was completed in August 2017 in response to the EPA's four (4) charge questions presented to the Council in October 2015. The report provided guidance on how the EPA could ensure that monitoring information required by permit or settlement is accessible and useful to local communities. Within this is the critical need to measure, monitor and address cumulative health impacts. Community trust in the regulatory process is essential to meaningful community engagement. Hence, a good community monitoring program includes: 1) The collection of timely and useful data; 2) The provision of accessible and accurate data; 3) The delivery of monitoring reports in very accessible ways to affected communities; and 4) The building of community capacity through technical training, experts, resources, community-based research, and useful analyses that recognizes the digital divide in impacted communities.

6. July 31, 2018 - Report to Acting Administrator Andrew Wheeler re: Best Practices for Youth Engagement and Addressing Health Impacts of Climate Change

The NEJAC's Youth Work Group, consisting of sixteen (16) young people and eight (8) Council members, responded to the EPA's 2015 charge with a report that presents important recommendations to mentor, train, and engage youth leaders in decision-making and capacity building, and by allocating adequate resources and implementing principles for their engagement in climate justice. The youth members employed various methodology to collect data and establish their findings in a set of recommendations that were presented to and supported by the NEJAC. We believe the youth report deserves attention and a response from the EPA Administration.

7. December 18, 2018 - Letter to Acting Administrator Andrew Wheeler re: Efforts to Rescind Portions of the Agricultural Worker Protection Standard and the Certification of Pesticide Applicators Rule

NEJAC strongly urged EPA to vigorously enforce the standards laid out in the current versions of the Worker Protection Standard (WPS) and the Certification of

Pesticide Applicators rule. These measures exist to protect vulnerable farmworkers and people living in rural, agricultural communities who need protection by the federal government to work safely. Further, the Council seeks protection for minor children under 18 as pesticide handlers and early entry workers. It is the duty of the Agency to ensure the health and safety of these vulnerable communities and workers, including appropriate workplace communication and information on pesticide exposure.

8. March 1, 2019 - Report to Administrator Andrew Wheeler re: EPA's Role in Addressing the Urgent Water Infrastructure Needs of Environmental Justice Communities

- October 13, 2016: The Water Infrastructure Charge is presented to the NEJAC by the EPA Office of Water at the Council's public meeting.
- March 1, 2019: The completed NEJAC report, which included participation from four members of the Environmental Financial Advisory Board, is sent to the EPA Administrator summarizing our recommendations and seeking the Agency's response.
- April 18, 2019: The EPA Administrator sent to the NEJAC Chair a letter acknowledging receipt of, and appreciation for, the National Environmental Justice Advisory Council's report titled *EPA's Role in Addressing the Urgent Water Infrastructure Needs of Environmental Justice Communities*.
- August, 2020: Office of Water leadership conveyed to the Office of Environmental Justice its enthusiasm to present on their actions related to the NEJAC water infrastructure report at the next in-person meeting of the NEJAC, including at least one matter they think is responsive to the recommendations. Additionally, they asked for the NEJAC's feedback on the report's most important recommendations to make sure they consider and speak to those things when they next meet with the Council.
- October 7, 2020: Leadership from the Office of Water, Office of Wastewater, Office of Environmental Justice, and the NEJAC's water charge group met to discuss potential responses to the report. We learned from the Office of Water and Office of Wastewater they have draft documents that respond to aspects of the charge report which they would share. No follow up meeting was scheduled nor were documents forwarded to the OEJ or the NEJAC Chair that we are aware of.
- *Update*: While the NEJAC believes that all the recommendations are still relevant to some extent, there are four (4) principles and objectives that we



see as foundational for achieving our water goals within the report and more broadly; and two (2) additional major crises that are impacting EJ communities since the report's completion:

Core principles and objectives

- **Government treats water as a human right:** This should remain at the top of the list as it is central to every other aspect of the work. If the EPA does not view water as something that every person should have as an absolute right, then, essentially every other goal becomes debatable.
- **Be accountable, rebuild public confidence, and trust in regulations:** People do not trust regulations because they do not trust the regulators. It appears that government regulators are the responsible parties not enforcing the regulations that are required in EJ communities, as indicated by data on water violations and enforcement. The water infrastructure charge report addresses the critical need for meaningful community engagement, but an important part of this gap is ensuring that the EPA does its duty, to step in, when local or state regulators fail or lack the capacity to do so. EPA needs to fulfill its duty as the ultimate federal regulator and be prepared to ensure that environmental justice and other environmental protection responsibilities be carried out in a just and fair manner.
- **Prioritize issues in EJ communities:** We must start with prioritizing EJ communities in crisis because we know that without firm prioritization, resources will continue to flow preferentially in the direction of economic and sociopolitical power, and EJ communities will continue to be left behind.
- **Recognize the impact of climate change:** In municipal systems, drinking water, wastewater, stormwater infrastructure assessments, choice, and cost must consider how source water and waste systems are affected by changes to water quantity and quality from environmental pollutants, contaminants, and climate change. Additionally, where rural communities are affected by inadequate access to and limited quantities of drinking water sources, water scarcity must be incorporated into assessments and recommendations for mitigating housing, farming, cultural, and other life impacts due to climate change.

## Major crises

- **Inequitable water infrastructure funding and priorities:** Urban and small public systems in communities of color are typically low-income, under-resourced, disinvested, and in grave need of lead service line (LSL) replacement to address the drinking water health needs of children, pregnant women, elders, and people with chronic health conditions. Most water utilities are not prioritizing LSL replacement in Action Level neighborhoods or EJ communities with multiple environmental contamination impacts.
- **Inadequate water quantities in drought-ridden regions:** Several plains, southwest, and west coast states and First Nations are experiencing greater degrees of water insecurity due to drought, climate change, drinking water contamination, surface and groundwater diversions, and inadequate community water rights.

### 9. May 3, 2019 - Letter to Administrator Andrew Wheeler re: Recommendation to Preserve the Chemical Disaster Safety Rule

The NEJAC implored EPA to halt efforts to rescind, weaken, and further delay parts of the Chemical Disaster Rule (also known as the January 2017 Risk Management Program [“RMP”] Amendments). NEJAC believes that the Chemical Disaster Rule should be fully implemented and enforced. The safety improvements this rule contains are essential to protect the lives and well-being of fence-line communities, workers, and first responders.

- In addition, there were prior NEJAC letters addressing chemical disaster safety rules: Letter from Elizabeth Yampierre, Chair, NEJAC, to EPA Administrator Lisa P. Jackson (Mar. 14, 2012).
- Letter from EPA Assistant Administrator Mathy Stanislaus to Ms. Margaret J. May, Vice Chairwoman, NEJAC at 1 (Aug. 29, 2013).

### 10. May 3, 2019 - Letter to Administrator Andrew Wheeler re: Recommendation to Regulate Ethylene Oxide to Protect Public Health and to use the Findings and Conclusions of the EPA Integrated Risk Information System Chemical Assessments in Regulatory Determinations

NEJAC requested a response from the EPA on the following points:

1. Confirmation from EPA that it intends to continue using the best available science, including the 2016 IRIS value on Ethylene Oxide, consistent with its responsibility under the Clean Air Act and the Agency's longstanding practice.
2. Additional information on EPA's planned efforts to reduce emissions of this chemical from each of the industrial sources that it has identified, including:
  - a. Miscellaneous Organic Chemical Manufacturing.
  - b. Polyether Polyols Production.
  - c. Synthetic Organic Chemical Manufacturing.
  - d. Commercial sterilizers.
  - e. Hospital Ethylene Oxide Sterilizers.
  - f. Ethylene Oxide production facilities.
3. The EPA was asked to provide this information within the next 30 days to the NEJAC and to local community members in an accessible way, so that they can consider any federal, state, or local actions that may be appropriate.
4. The Administrator's obligation to take prompt regulatory action under the Clean Air Act that assures the emission reductions needed from all chemical manufacturing and other sources, to protect public health from exposure to Ethylene Oxide, together with other toxic pollutants.
5. The EPA, conduct a proper rulemaking process by issuing a proposed rule, request notice and comment from the public, and provide an adequate period for submitting comments in order to strengthen its regulations for each of the above-listed source categories of hazardous air pollution, as well as any additional sources it identifies as sources that require review.

**11. August 14, 2019 - Letter to Administrator Andrew Wheeler re: Recommendations to Strengthen the PFAS Action Plan**

NEJAC asked that EPA expand its investigation and assessments of the environmental and health impacts of PFAS contamination, as detailed in the recommendation letter, to include more participation from impacted, frontline communities. Further, we request an update on the current Administration's efforts to address the national PFAS crisis since its most recent PFAS Action Plan; and the status of the "EPA Council on PFAS," particularly to remediate these dangerous, complex chemicals in drinking water and to develop national drinking water regulation for PFOA and PFOS.

**12. August 14, 2019 - Letter to Administrator Andrew Wheeler re: National Environmental Policy Act (NEPA) and Environmental Justice**

To strengthen the validity and integrity of environmental justice analysis and considerations in the NEPA process, this NEJAC letter identified several concerns and priority actions that need a closer look. Among them are concerns with inadequate economic impact analyses and the seeming selection of the least environmentally impactful alternatives by EPA analysts for environmental justice community benefits. The Council believes the EPA must raise both the quality and quantity of environmental justice analyses in the NEPA process so the impacts affecting EJ communities are front and center.

**13. August 14, 2019 — Letter to Administrator Andrew Wheeler re: Data Limitations on EPA Mapping Tools**

NEJAC has a continuing desire to make sure the communities we represent have the appropriate tools and resources needed to do their own due diligence so that they can continue to protect and improve their health and safety. Tools created by EPA for communities lack completeness depending on where the person resides. For example, the EJSCREEN and EnviroAtlas tools do not cover all the areas of the United States, its territories, or all federally recognized tribal lands; these resources have very limited data for those areas. These deficiencies place thousands of people who could utilize these tools at a severe disadvantage as they investigate surrounding industries or hazards being proposed within their communities. NEJAC recommended that EPA ensure that any tools developed and introduced are inclusive and available to all our communities.

**14. August 14, 2019 - Letter to Administrator Andrew Wheeler re: Recommendations for Promoting Environmental Regulation on Aboveground Storage Tanks**

Over the past several years, various reports have included recommendations for creating and improving rules that govern the operation of Aboveground Storage Tanks (AST) beyond voluntary programs. The NEJAC cites several examples between 2005-2019 where AST incidents caused by facilities that choose not to “self-regulate” have endangered the public. In addition to the recommendations in this letter, the NEJAC reiterated specific courses of action in the 2015 NEJAC report, “Proposed Recommendations for Promoting Community Resilience in Environmental Justice Industrial Waterfront Areas,” and requested an update on the status of their implementation.

**15. May 6, 2021 - Report to Administrator Michael Regan re: Superfund Remediation and Redevelopment for Environmental Justice Communities**

In this recently submitted report, the NEJAC provides specific recommendations regarding changes to the Superfund program to ensure the meaningful involvement of impacted people in decisions that affect their lives and instill confidence in the EPA. The NEJAC notes that the Superfund program is underfunded, as best evidenced by the growing backlog of sites that are ready to be cleaned up, but the work to protect communities is slowed or delayed indefinitely due to insufficient program funding. Furthermore, while Superfund cleanups have focused on preventing future exposure to hazardous chemicals, the program has not considered the long-term impacts on community health and economic opportunities for communities with environmental justice concerns that have been impacted by Superfund sites. In May of 2021, NEJAC issued its report, *Superfund Remediation and Redevelopment for Communities with Environmental Justice Concerns*. That report includes an integrated and actionable set of strategies and recommendations that NEJAC believes will have a positive and transformative impact on EJ communities and the Superfund program.

## **Section II: Communication and collaboration improvements between the NEJAC and EPA leadership**

The NEJAC is greatly encouraged by the commitments you are making to embrace its objectives as front and center in EPA's agenda, as a "central driving factor" in all that EPA does, and we are prepared to help your Administration make that commitment a reality through our federal advisory role. To effectively advise EPA on these issues, it is important that NEJAC be aware of what plans and actions EPA is currently pursuing that relate to these issues, and there be active engagement between the NEJAC work groups and the relevant program offices.

We know that not all Administrations have shared your commitment and the Council has experienced first-hand the deprioritization of its work in recent years. To create and maintain a highly effective working relationship, NEJAC proposes an establishment of the following actions for effective communication, cooperation, and collaboration between the Council and the EPA Administration:

- The NEJAC welcomes and will extend invitations to the EPA Administrator and the EPA leadership team to all its public meetings.
- The NEJAC will provide appropriate advance notice to the EPA Administrator as soon as meeting dates are determined to schedule availability to meet.
- The NEJAC will seek EPA staff and FACA member participation in its working groups.

- The NEJAC will provide the EPA Administrator with timely and well-considered recommendations on matters of importance to the Council and among the priorities of the EPA Administrator.

In turn, the NEJAC requests:

- The EPA Administrator will attempt to attend a minimum of one NEJAC public meeting per year and ensure that at least one member of the Administrator's leadership team attend all NEJAC public meetings.
- The EPA leadership will demonstrate in NEJAC's public meetings its commitment to environmental justice and provide timely, first-hand information on issues facing environmental justice communities.
- The EPA Administrator will support the addition of EPA staff and FACA member participation in the Council's working groups, as needed.
- The EPA Administrator will respond in a timely and well-considered manner to the recommendations of the NEJAC and encourage EPA Offices to reflect the same.

With the EPA Administrator's support, the NEJAC believes a commitment to these objectives will ensure effective communication, prioritization, and outcomes for the benefit of environmental justice communities.

### **Section III: A communication and collaboration request between the NEJAC and the WHEJAC**

The NEJAC is delighted with the formation of the White House Environmental Justice Advisory Council (WHEJAC) and enthusiastic about working with the WHEJAC to address and remedy the long standing and significant harm done to the nation's most vulnerable populations. The NEJAC envisions a strong synergy with WHEJAC through mutual cooperation and communication, the two Councils can have a 'multiplier effect' in developing and promoting policies and actions that meaningfully improve the lives of environmental justice communities. Frequent communication and coordination between the two Councils are essential to achieving combined goals and objectives.

**The NEJAC strongly requests that the EPA Administrator recommend to the White House Council on Environmental Quality that coordinated work be undertaken by the WHEJAC and the NEJAC beginning with a meeting between the leadership of both Councils.** The purpose of the initial meeting will be to establish communication protocols, identify shared objectives, activities, and

priorities; and develop processes for coordinated environmental and climate justice efficacy. To underscore its intentionality, the NEJAC has formed a Finance/Justice40 Working Group to complement the work of the WHEJAC's Justice40-driven reviews and recommendations. We believe this collaboration will enhance the work of both Councils and facilitate the Administration's objectives and timeline for environmental and climate justice outputs and outcomes.

Thank you for your review and consideration of this letter.

Sincerely,



Sylvia Orduño  
Chair

cc: NEJAC Members  
Janet McCabe, Deputy Administrator  
Victoria Arroyo, Associate Administrator for the Office of Policy  
Matthew Tejada, Director for the Office of Environmental Justice  
Karen L. Martin, Designated Federal Officer, NEJAC

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*A Federal Advisory Committee to the U.S. Environmental Protection Agency*